United Nations A/61/6 (Prog. 20)

General Assembly

Distr.: General
16 June 2006

Original: English

Sixty-first session
Item 117 of the preliminary list*
Programme planning

Proposed strategic framework for the period 2008-2009

Part two: biennial programme plan

Programme 20
International protection, durable solutions and assistance to refugees

Contents

Page

Overall orientation 2

Legislative mandates 6

* A/61/50 and Corr.1.

06-39371 (E) 300606

Overall orientation

20.1 The overall objective of the programme is to provide international protection to refugees and others of concern to the United Nations High Commissioner for Refugees and to seek permanent solutions to their problems, as well as to ensure the provision of humanitarian assistance to them. Assistance plays a key role in facilitating international protection and the search for and realization of solutions. It is rooted in and grows out of the protective nature of the work of the Office of the United Nations High Commissioner for Refugees (UNHCR). In its operational activities, UNHCR seeks to integrate protection, the search for durable solutions and humanitarian assistance. The pursuit of durable solutions to the problems of refugees is the heart of protection and the principal purpose of the programme. The framework for the provision of international protection was further spelled out in the Agenda for Protection endorsed by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees and welcomed by the General Assembly in 2002.[1]

20.2 The mandate for the programme is contained in General Assembly resolution 319 A (IV), by which the Assembly established UNHCR as from 1 January 1951, and resolution 428 (V), which sets out the statute of the Office. The Assembly has also called upon the High Commissioner to ensure that returnees receive assistance to help in their sustainable reintegration, as well as to monitor their safety and well-being on return (see resolution 40/118). In addition, on the basis of specific requests from the Secretary-General or the competent principal organs of the United Nations, and with the consent of the State concerned, UNHCR provides humanitarian assistance and protection to internally displaced persons (see resolution 48/116), working in cooperation with the United Nations Emergency Relief Coordinator (see resolution 58/153). In its work for internally displaced persons, and as part of the collaborative response of the United Nations system to internal displacement, UNHCR has been given special responsibility for the following three areas: protection, emergency shelter and camp management/coordination. As regards the assistance activities of UNHCR, the basic provisions of the statute were expanded by the Assembly in its resolution 832 (IX). Through the adoption by the Assembly of its resolution 58/153 on implementing actions proposed by the United Nations High Commissioner for Refugees to strengthen the capacity of his Office to carry out its mandate, the Office was given a renewed mandate to address the challenge of forced displacement through a mission based on a spirit of solidarity, responsibility and burden-sharing, with an abiding commitment to make the Office a truly multilateral institution. Related to its work for refugees and internally displaced persons, UNHCR has also been mandated to address the situation of stateless persons in accord with the Convention relating to Status of Stateless Persons (1954) and the Convention on the Reduction of Statelessness (1961).

20.3 The international legal basis for the protection of refugees finds its principal expression in the 1951 Convention and the 1967 Protocol relating to the Status of Refugees. In addition, there are a number of other international instruments of relevance, such as the 1989 Convention on the Rights of the Child. At the regional level, there are also important instruments and declarations, such as the Convention Governing the Specific Aspects of Refugee Problems in Africa of the Organization of African Unity (now the African Union), the Cartagena Declaration on Refugees, adopted by the Colloquium on the International Protection of Refugees in Central

America, Mexico and Panama, and the San José Declaration on Refugees and Displaced Persons. Similarly for stateless persons, the international legal basis for addressing their situation is the 1954 and 1961 Conventions.

20.4 UNHCR is responsible for the implementation of the programme. The overall strategy that will be followed consists of a range of activities undertaken in cooperation with States and various organizations and pursued with a continued strong emphasis on improving efficiency, transparency and accountability, especially through the institutionalization of results-based management. Notable among them are the following:

(a) The pursuit of comprehensive strategies, in cooperation with States and organizations, aimed at mitigating and preventing the causes of forced population movements as well as finding solutions to them when they occur;

(b) The ongoing development of a legal regime of international protection, in particular through the promotion of accessions to international and regional instruments relating to the status of refugees or otherwise benefiting refugees, the effective implementation of refugee rights and the promotion and dissemination of refugee law and protection principles;

(c) Ensuring that UNHCR fully participates in and supports the strengthened collaborative response of the United Nations to situations of internal displacement through its leadership and coordination of the areas for which the Office has been given special responsibility: protection, emergency shelter and camp management/coordination;

(d) The further development of contingency planning, emergency preparedness and response capabilities, in coordination with other organizations, so as to respond effectively and efficiently to situations of forced human displacement;

(e) Ensuring that UNHCR and its partners provide protection and humanitarian assistance in a manner that is sensitive to environmental considerations and in such a way that it is supportive of and reinforces development initiatives to the extent possible;

(f) Ensuring that UNHCR and its partners incorporate into all aspects of the delivery of humanitarian assistance the particular needs and capacities, ascertained through participatory assessments, of refugee women and elderly refugees and the special needs of refugee children and adolescents;

(g) The further development, in consultation with concerned parties, of options to ensure the security and the civilian and humanitarian character of refugee camps and settlements as well as security in areas of return and to explore further concrete ways of enhancing the safety and security of UNHCR staff and other humanitarian workers working with refugees and returnees. In this regard, due consideration should be given to the obligation of United Nations officials, in the conduct of their duties, to observe fully both the laws and regulations of Member States and their duties and responsibilities to the Organization;

(h) The systematic follow-up to relevant recommendations in the plans of action emanating from recent international conferences, especially the plan of action related to the Millennium Development Goals;

(i) The involvement, as soon as possible, of other humanitarian and development organizations, both national and international, in providing assistance to refugees, returnees, internally displaced persons and host communities and in the search for durable solutions.

20.5 The programme is under the intergovernmental guidance of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees, in accordance with its terms of reference, as adopted by the General Assembly in its resolution 1166 (XII). At its fifty-sixth session, in 2005, the Executive Committee, while considering the report of the United Nations Board of Auditors on the financial statements of the voluntary funds administered by the United Nations High Commissioner for Refugees for the year ending 31 December 2004, reviewed a recommendation related to the annual programme budget of UNHCR and the corresponding United Nations strategic framework and biennium budget to improve the congruence between the medium-term plan/strategic framework/biennial programme plan and the annual programme budget (A/AC.96/1010, para. 24). In a related decision, the Executive Committee took note of the audit report, the proposed follow-up of UNHCR to the audit recommendations (A/AC.96/1010/Add.1) and the report of the Advisory Committee on Administrative and Budgetary Questions (A/AC.96/1011/Add.1 and Corr.1). Accordingly, it is proposed that the subprogramme structure of the programme for the period 2008-2009 be reorganized and that the two subprogrammes that were approved in the biennial programme plan for the period 2006-2007 be consolidated into a single subprogramme entitled "International protection, durable solutions and assistance to refugees". This would align the subprogramme structure with the structure of the UNHCR operational programme and reflect the fact that in its operational activities, UNHCR is seeking to more fully integrate protection, the search for durable solutions and humanitarian assistance.

Objective of the Organization: to lead and coordinate efforts for the international protection of refugees and other persons of concern to the United Nations High Commissioner for Refugees and to seek permanent solutions to their problems, while at the same time ensuring the provision of humanitarian assistance throughout the refugee cycle

Expected accomplishments of the Secretariat	Indicators of achievement
(a) Enhanced international protection regime, including its implementation at the national level	(a) (i) Increased number of accessions to the 1951 Convention/1967 Protocol
	(ii) Strengthened host country capacity to provide quality asylum
	(iii) Refugee status determination processes, which are the responsibility of UNHCR, further improved in terms of more efficient processing
(b) International standards of protection are more fully met for all persons of concern to UNHCR taking into account their age, gender and personal background	(b) (i) Improved knowledge of international protection standards through participation in the Protection Learning Programme

		(ii) Improved levels of registration of persons of concern
		(iii) Increased percentage of sexual and gender-based violence survivors who have received psychosocial, medical, legal or any other form of support
		(iv) Decreased number of refugee camps reporting children (6-59 months old) suffering from global acute malnutrition
		(v) Increased percentage of refugees in camps having access to culturally appropriate HIV/AIDS information-education-communication materials
(c) Progress towards finding durable solutions to the many instances of forced displacement	(c)	(i) Increased number of actors involved in activities aimed at promoting the self-reliance of returnees and providing support to host countries and countries of origin in order to promote durable solutions
		(ii) Increased number of refugees and other persons of concern who return from situations of forced displacement
		(iii) Increased number of persons resettled to third countries
(d) Strengthened partnerships with other actors to better enable UNHCR to discharge its mandate	(d)	(i) Increased level of voluntary contributions provided by the international community
		(ii) Number of emergency preparedness arrangements and contingency plans elaborated in response to potential refugee emergencies
		(iii) Increase in the number of United Nations Development Assistance Frameworks that address refugee related issues

Strategy

20.6 Implementation of the programme falls under the overall responsibility of the Division of International Protection Services, the Division of Operational Services and the Regional Bureaux of UNHCR. The overall objective related to protection and durable solutions is multifaceted and will be pursued in a number of ways. Further accessions to the 1951 Convention and the 1967 Protocol relating to the Status of Refugees as well as to the 1954 Convention relating to the Status of

Stateless Persons and the 1961 Convention on the Reduction of Statelessness will be promoted. The monitoring of the observance by States of internationally accepted standards for the treatment of refugees, especially the fundamental principles of asylum and non-refoulement, will contribute to ensuring the effective implementation of refugee rights by the States concerned. This will involve working especially for the establishment by States of fair and efficient procedures for the determination of refugee status or, as appropriate, other mechanisms to ensure that persons in need of international protection are identified and granted such protection, and to ensure that all persons seeking international protection are granted access to those procedures and mechanisms.

20.7 To ensure a more effective response to the protection needs of refugee women, children and adolescents, a more concerted effort to mainstream the policies and guidelines relating to refugee women, children and adolescents will be continued through the work of specially trained interdisciplinary UNHCR country teams. The promotion and dissemination of refugee law and protection principles, particularly through training, in cooperation with non-governmental organizations, academic institutions and other relevant organizations of governmental and non-governmental officials will be another means of achieving the stated objective. In addition, when, on the basis of a specific request of the Secretary-General or a competent principal organ of the United Nations and with the consent of the State concerned, UNHCR provides protection to internally displaced persons, it will do so on the basis of criteria enumerated in the relevant resolutions of the General Assembly and in close collaboration with other concerned entities and agencies. To revitalize old partnerships and build new ones in support of the international refugee protection system, efforts to promote collaboration on refugee protection with a wide range of actors, including the Office of the United Nations High Commissioner for Human Rights, will be continued. In order to find permanent solutions to the problems of refugees, especially those in protracted refugee situations, and internally displaced persons, efforts will be made to promote the development of more comprehensive and regional approaches.

20.8 The aspects of the programme dealing with humanitarian assistance, including emergency response, are under the responsibility of the Division of Operational Services and the Regional Bureaux. In order to implement the programme, UNHCR will engage in a number of strategies. In this connection, assistance, whenever possible, will be delivered in such a way that it involves the recipients and taps their potential. This participatory approach will be part of a broader situation analysis, which will also include improved demographic data deriving from the new registration tools (resulting from Project Profile) and the use of the established standards and indicators. This approach should lead to a significant improvement in the quality of the Office's assistance programmes, especially for refugee women, children and the elderly.

Legislative mandates

Conventions and conference declarations

Convention relating to the Status of Refugees (1951) and its Protocol (1967)

Convention relating to the Status of Stateless Persons (1954)

Convention on the Reduction of Statelessness (1961)

Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa (1969)

Cartagena Declaration on Refugees (1984)

Convention on the Rights of the Child (General Assembly resolution 44/25) (1989)

San José Declaration on Refugees and Displaced Persons (1994)

General Assembly resolutions

58/153	Implementing actions proposed by the United Nations High Commissioner for Refugees to strengthen the capacity of his Office to carry out its mandate
60/129	Office of the United Nations High Commissioner for Refugees

Executive Committee

A/AC.96/965/Add.1	Agenda for Protection

Note

[1] *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 12 A* (A/57/12/Add.1), annex IV.